

SEALED BY ORDER  
OF THE COURT

AO 257 (Rev. 6/78)

## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY:  COMPLAINT  INFORMATION  INDICTMENT SUPERSEDING

## OFFENSE CHARGED

21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(vi)– Possession with Intent to Distribute 40 grams and More of Fentanyl;

21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(viii)– Possession with Intent to Distribute 5 Grams and More of Methamphetamine;

21 U.S.C. §§ 841(a)(1) and (b)(1)(C)– Possession with Intent to Distribute Heroin:

 Petty Minor Misdemeanor Felony

PENALTY: Min. 5 years imprisonment - max. 40 years; Fine:

\$5,000,000; Supervised Release: min. 4 years, max. life.

\$100 Assessment; Forfeiture; Deportation; Denial of federal benefits

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

FILED

DEC 01 2022

## DEFENDANT - U.S.

KEVIN ARTEAGA-MORALES

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
OAKLAND OFFICE

DISTRICT COURT NUMBER

CR 22 0452

HJD

## PROCEEDING

Name of Complainant Agency, or Person (&amp; Title, if any)

ATF SA Sean Courtz

 person is awaiting trial in another Federal or State Court,  
give name of court this person/proceeding is transferred from another district  
per (circle one) FRCrp 20, 21, or 40. Show District this is a reprocution of  
 charges previously dismissed  
which were dismissed on motion  
of: U.S. ATTORNEY  DEFENSESHOW  
DOCKET NO. this prosecution relates to a  
 pending case involving this same  
defendantMAGISTRATE  
CASE NO. prior proceedings or appearance(s)  
 before U.S. Magistrate regarding this  
defendant were recorded underName and Office of Person  
Furnishing Information on this form Stephanie M. Hinds U.S. Attorney  Other U.S. AgencyName of Assistant U.S.  
Attorney (if assigned) Hillary Irvin

## IS IN CUSTODY

4)  On this charge5)  On another conviction}  Federal  State6)  Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer  Yes  
been filed?  No} If "Yes"  
give date  
filedDATE OF  
ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED  
TO U.S. CUSTODY

Month/Day/Year

 This report amends AO 257 previously submitted

## PROCESS:

 SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

 Arraignment  Initial AppearanceDefendant Address:  
\_\_\_\_\_  
\_\_\_\_\_

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:  
\_\_\_\_\_

United States District Court  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

FILED

DEC -1 2022

VENUE: SAN FRANCISCO

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
OAKLAND OFFICE

UNITED STATES OF AMERICA,

v.

CR 22 0452

KEVIN ARTEAGA-MORALES

SEALED BY ORDER  
OF THE COURT

DEFENDANT(S).

INDICTMENT

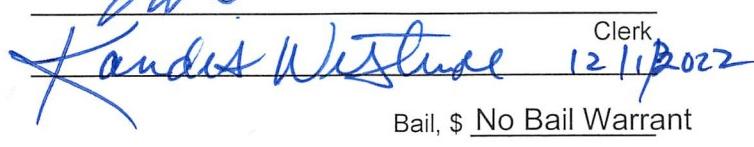
21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(vi)– Possession with Intent to Distribute 40  
grams and More of Fentanyl;  
21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(viii)– Possession with Intent to Distribute 5  
Grams and More of Methamphetamine;  
21 U.S.C. §§ 841(a)(1) and (b)(1)(C)– Possession with Intent to Distribute Heroin;  
21 U.S.C. § 853– Forfeiture Allegation

A true bill.

/s/Foreperson

  
Foreperson

Filed in open court this 1st day of  
December 2022.

  
Clerk  
12/1/2022  
Bail, \$ No Bail Warrant  
Hon. Kandis A. Westmore, U.S. Magistrate Judge

FILED

DEC -1 2022

1 STEPHANIE M. HINDS (CABN 154284)  
2 United States Attorney

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
OAKLAND OFFICE

3 UNITED STATES DISTRICT COURT

4 NORTHERN DISTRICT OF CALIFORNIA  
5 SAN FRANCISCO DIVISION

SEALED BY ORDER  
OF THE COURT

6 UNITED STATES OF AMERICA,

) CASE NO. CR 22 0452

7 Plaintiff,

) VIOLATIONS:

8 v.

) 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(vi) – Possession  
with Intent to Distribute 40 grams and More of  
Fentanyl;  
)

9 KEVIN ARTEAGA-MORALES,

) 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(viii) –  
Possession with Intent to Distribute 5 Grams and  
More of Methamphetamine;  
)

10 Defendant.

) 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) – Possession  
with Intent to Distribute Heroin;  
)

) 21 U.S.C. § 853 – Forfeiture Allegation

16 I N D I C T M E N T

17 The Grand Jury charges:

18 COUNT ONE: (21 U.S.C. § 841(a)(1) and (b)(1)(B)(vi) – Possession with Intent to Distribute 40  
19 Grams and More of Fentanyl)

20 On or about September 29, 2022, in the Northern District of California, the defendant,

21 KEVIN ARTEAGA-MORALES,

22 did knowingly and intentionally distribute and possess with intent to distribute 40 grams and more of a  
23 mixture and substance containing a detectable amount of N-phenyl-N- [ 1- ( 2-phenylethyl ) -4-  
24 piperidinyl ] propenamide, also known as fentanyl, a Schedule II controlled substance, in violation of  
25 Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(vi).

26 COUNT TWO: (21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii) – Possession with Intent to Distribute 5  
27 Grams and More of Methamphetamine)

28 On or about September 29, 2022, in the Northern District of California, the defendant,

INDICTMENT

1 KEVIN ARTEAGA-MORALES,

2 did knowingly and intentionally distribute and possess with intent to distribute 5 grams and more of  
3 methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in  
4 violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(viii).

5 COUNT THREE: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute  
6 Heroin)

7 On or about September 29, 2022, in the Northern District of California, the defendant,

8 KEVIN ARTEAGA-MORALES,

9 did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance  
10 containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21,  
11 United States Code, Section 841(a)(1) and (b)(1)(C).

12 FORFEITURE ALLEGATION: (21 U.S.C. § 853(a))

13 The allegations contained above are hereby re-alleged and incorporated by reference for the  
14 purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853(a).

15 Upon conviction of any of the offenses alleged above, the defendant,

16 KEVIN ARTEAGA-MORALES,

17 shall forfeit to the United States all right, title, and interest in any property constituting and derived from  
18 any proceeds defendant obtained, directly or indirectly, as a result of such violations, and any property  
19 used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such  
20 violations, including but not limited to a forfeiture money judgment.

21 If any of the property described above, as a result of any act or omission of the defendants:

- 22 a. cannot be located upon exercise of due diligence;
- 23 b. has been transferred or sold to, or deposited with, a third party;
- 24 c. has been placed beyond the jurisdiction of the court;
- 25 d. has been substantially diminished in value; or
- 26 e. has been commingled with other property which cannot be divided without  
27 difficulty,

28 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,

1 United States Code, Section 853(p).

2 All pursuant to Title 21, United States Code, Section 853, and Federal Rule of Criminal  
3 Procedure 32.2.

4

5 DATED: December 1, 2022

A TRUE BILL.

6  
7   
8 /s/Foreperson \_\_\_\_\_  
9 FOREPERSON  
10 Oakland, California

11  
12 STEPHANIE M. HINDS  
13 United States Attorney

14  
15 /s/ *Hillary T. Irvin* \_\_\_\_\_  
16 Hillary T. Irvin  
17 Assistant United States Attorney

SEALED BY ORDER  
OF THE COURTFILED  
DEC 01 2022 *js*UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIACLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
OAKLAND OFFICE

## CRIMINAL COVER SHEET

**Instructions:** Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CASE NAME:

USA v. KEVIN ARTEAGA-MORALES

CASE NUMBER:

CR 22 0452

*CRB*

Is This Case Under Seal?

Yes  No

Total Number of Defendants:

1  2-7      8 or moreDoes this case involve ONLY charges  
under 8 U.S.C. § 1325 and/or 1326?Yes  No 

Venue (Per Crim. L.R. 18-1):

SF  OAK      SJ

Is this a potential high-cost case?

Yes  No Is any defendant charged with  
a death-penalty-eligible crime?Yes  No 

Is this a RICO Act gang case?

Yes  No Assigned AUSA  
(Lead Attorney): Hillary Irvin

Date Submitted: 11/30/22

Comments: